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September 13, 2022

Alexandra Nicholson
Davis Wright Tremaine LLP
21st Floor
1251 Avenue of the Americas
New York, NY 10020-1104

VIA E-MAIL

Re: AAA24
Service Mark Application No. 97/379,480
Our File No. 28599

Dear Ms. Nicholson:

In response to your letter in this matter, while our client appreciates your client's willingness to narrow the recited goods in its '480 application in an attempt to avoid confusion, the use of AAA with the recited membership club services, as amended, still results in their being a likelihood that consumers will be confused as to the source or association of the AAA24 mark.

Despite your contention, we do not agree that consumers will recognize the AAA24 mark as identifying "all access". In our opinion, the AAA portion is significantly more recognizable, and thus confusion with our client's AAA mark is likely. This is especially the case because our client offers membership club services that are related to your client's services. Specifically, our client offers exclusive deals and discounts on entertainment, including movie and theater tickets, through its membership club services and under its AAA mark. Copies of two webpages from www.aaa.com showing these services being advertised are attached.

Your client's AAA24 mark incorporates our client's famous AAA mark in its entirety for use with services offered by our client. Again, this is likely to cause confusion, mistake or deception that the services are provided, authorized or sponsored by AAA.

Accordingly, we maintain our demand that A24 Films withdraw its '480 application and agree to not use AAA in connection with its services.

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Sincerely,

A handwritten signature in blue ink that reads "Michael K. Fretwell". The signature is written in a cursive, flowing style.

Michael K. Fretwell

MKF/mkf
Attachments